

REMARKS

At the outset, Applicants thank the Examiner for reviewing and considering the present application. Applicants also express gratitude to the Examiner for acknowledging the claim for foreign priority and confirming receipt of the certified copy of the priority document. The Office Action dated March 21, 2006, has been received and reviewed. Reconsideration is respectfully requested.

Because the Office Action rejects claim 2 under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 1,550,700 to Holub et al. (hereinafter "Holub"), Applicants presume that claim 26 from which claim 2 is dependent on, is also rejected under 35 U.S.C. §102(b). Applicants respectfully traverse this rejection.

Claim 26 recites, inter alia, a laundry dryer comprising at least "a cabinet holder configured to fasten the fire plate to the side plate wherein the cabinet holder includes a plurality of fastening pieces configured for insertion into the fire plate and the side plate."

Applicants submit that Holub fails to disclose at least the above-mentioned features. More specifically, Applicants submit that cabinet posts 4 do not "include a plurality of fastening pieces configured for insertion into the fire plate and the side plate."

With regards to assertions that the hinges, as disclosed by Holub, are fastening pieces, Applicants submit that Holub discloses that the doors 19 are hingedly fixed to the corner posts. See page 2, lines 128-130. However, there is no indication that the hinges are configured for insertion into a side plate, as recited in claim 26.

Accordingly, claim 26 recites patentable subject matter. Further, Applicants respectfully submit that claim 2 is patentable for depending on at least claim 26 and request that the rejection be withdrawn. Likewise, any claims which depend directly or indirectly from claim 26 are also patentable for at least the same reasons as discussed above.

Claims 5-18 and 22-26 are rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 3,402,281, issued to Vonderhaar in view of U.S. Patent No. 1,550,700, issued to Holub. Applicants respectfully traverse this rejection.

Claim 15 recites a laundry dryer comprising, inter alia, “a cabinet holder joining the fire plate to the side plate, the cabinet holder including a plurality of fastening pieces on an underside of the cabinet holder wherein the plurality of first fastening holes receive the plurality of fastening pieces.”

In contrast to the assertions in the Office Action, the dimpled sections 136 of top flange 56, as disclosed by Vonderhaar, do not anticipate or render obvious the claimed “cabinet holder” at least since top flange 56 does not include a plurality of fastening pieces on an underside of the flange 56 (emphasis added). Rather, Vonderheer discloses dimpled sections 136 as being formed on the top of the flange 56 for support member 134. See column 6, lines 49-65 of Vonderhaar.

Furthermore, Applicants submit that main section 82 of side panel 11 fails to anticipate or render obvious at least a “cabinet holder,” as recited in claim 15. As illustrated in Figure 5, Vonderhaar discloses that main section 82 include flanges 83 and 84 with vertically spaced slots 85 that are adapted to receive studs or pins 86 from respective side liner members 41 and 42. See column 5, lines 9-22 of Vonderhaar.

However, in Vonderhaar, there is no indication that a plurality of first fastening pieces of the cabinet holder are received by a plurality of first fastening holes of the fire plate. That is, main sections 82 do not join burner box 77 to side panel 11. Rather, main sections 82 are adapted to receive pins associated with side liner members 41 and 42. Further, burner box 77 does not have a plurality of fastening holes to receive any fastening pieces of main section 82.

Moreover, Holub fails to cure the deficiencies of Vonderhaar.

Accordingly, Applicants respectfully submit that claim 15 is patentable and request that the rejection be withdrawn. Likewise, claims 16-18 and 22-25, which depend from claim 15 are also patentable for at least the same reasons as discussed above.

In addition, claim 26 recites “a cabinet holder configured to fasten the fire plate to the side plate wherein the cabinet holder includes a plurality of fastening pieces configured for insertion into the fire plate and the side plate.”

In contrast to the assertions in the Office Action, Applicants submit that dimpled sections 136, as disclosed by Vanderhaar, fail to anticipate or render obvious a cabinet holder, as recited in claim 26, at least since the dimpled sections 136 are not configured for insertion into side panel 11, which was asserted to be the claimed “side plate”. In other words, Vanderhaar does not disclose or suggest, *inter alia*, a cabinet holder that includes a plurality of fastening pieces configured for insertion into the fire plate and the side plate, as recited in at least claim 26.

Similarly, Applicants submit that main section 82 is also deficient in that it lacks a “plurality of fastening pieces configured for insertion into the fire plate and the side plate,” as necessitated by the claim language.

Accordingly, Applicants respectfully submit that claim 26 is patentable and request that the rejection be withdrawn. Likewise, claims 5-14, which depend from claim 26 is also patentable for at least the same reasons as discussed above.

Claims 2-4 are rejected under 35 U.S.C. §103(a) as being unpatentable over Vonderhaar in view of Holub in further view of U.S. Patent No. 1,993,201 to Yandell. Applicants traverse this rejection.

Applicants submit that claims 2-4 depend from claim 26 and are also patentable for at least the same reasons as discussed above. Further, Applicants submit that Yandell fails to

cure the above-mentioned deficiencies. Accordingly, withdrawal of the rejection is respectfully requested.

Claims 19-20 are rejected under 35 U.S.C. §103(a) as being unpatentable over Vonderhaar in view of Holub in further view Yandell. Applicants traverse this rejection.

Applicants submit that claims 19-20 depend from claim 15 and are also patentable for at least the same reasons as discussed above. Further, Applicants submit that Yandell fails to cure the above-mentioned deficiencies. Accordingly, withdrawal of the rejection is respectfully requested.

Claims 2-20 and 22-26 are provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-6 of copending application No. 10/663,997. Applicants traverse this rejection.

Applicants submit that the claims 2-20 and 22-26 of the present application are distinct from claims 1-6 of copending application No. 10/663,997. More specifically, the analysis employed for a double patenting determination parallels the guidelines a 35 U.S.C. §103(a) rejection. However, the factual inquiries set forth in *Graham v. John Deere Co.* are not set forth in the above-mentioned provisional obviousness-type double patenting rejection.

Moreover, the provisional obviousness-type double patenting rejection is also deficient at least since copending application No. 10/663,997 does not disclose or suggest, *inter alia*, a “cabinet holder joining the fire plate to the side plate, the cabinet holder including a plurality of fastening pieces on an underside of the cabinet holder wherein the plurality of first fastening holes receive the plurality of fastening pieces,” as recited in claim 15. In addition, copending application No. 10/663,997 fails to disclose or suggest, *inter alia*, a cabinet holder configured to fasten the fire plate to the side plate wherein the cabinet holder includes a plurality of fastening pieces configured for insertion into the fire plate and the side

plate. Accordingly, passing the claims in the present application to issue would not unjustly extend the rights of the claims of the other application.

Accordingly, Applicants respectfully submit that claim 15 and 26 are not obvious over copending application No. 10/663,997 and request that the rejection be withdrawn. Likewise, claims 2-14, which depend from claim 26, and claims 16-20 and 22-25, which depend from claim 15, are also patentable for at least the same reasons as discussed above.

The application is in a condition for allowance and favorable action is respectfully solicited. If for any reason the Examiner believes a conversation with the Applicants' representative would facilitate the prosecution of this application, the Examiner is encouraged to contact the undersigned attorney at (202) 496-7500. All correspondence should continue to be sent to the below-listed address.

If these papers are not considered timely filed by the Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. §1.136, and any additional fees required under 37 C.F.R. §1.136 for any necessary extension of time, or any other fees required to complete the filing of this response, may be charged to Deposit Account No. 50-0911. Please credit any overpayment to deposit Account No. 50-0911. A duplicate copy of this sheet is enclosed.

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Respectfully submitted,

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